

low much the British army has been in all modern times made up of Irish Catholic soldiers. Their courage and fidelity have never been denied by their officers of the Government of England. But in the war which England was about to wage against the rising liberties of this country, Lord Howe, who was to take command, wrote to the British ministry that he "disliked and could not depend on Irish Catholic soldiers," and suggested that German mercenary troops should be employed,—and these German mercenaries turned out afterwards to be the far-famed Hessians.

Again: In raising German troops for the purpose of crushing the liberties of this country in the war of Independence, the agents of Great Britain on the Continent complained of the obstacles that were thrown in their way, whether in raising recruits, or in forwarding them, and these difficulties, it appears by dispatches to the Government in London, were ascribed to the intrigues and opposition of Catholics in Germany.

I think that, on a review of these evidences, there is no just and candid American, pretending to have any adequate knowledge of the history of his own country, who will not agree with me, that at the close of the war the Catholics of this land were entitled, in their own right, to the civil and religious immunities which are secured to them in common with their fellow-citizens of other denominations, by the achievement of the independence of the United States. But there is another ground in favor of a vast number of them, involving the additional pledge of national honor.

It will be recollected that, at the close of the French war, Canada was ceded by France to Great Britain. The Colonists took a great interest in that war in which Washington, still a youth, distinguished himself. The issue of the struggle has an immense bearing on the early history of the United States. From the Gulf of St. Lawrence to the mouth of the Mississippi, by exploration of rivers and lakes, including even Lake Superior, by acquaintance with various tribes, by missionary posts, have settlements there, forts, or something corresponding, in other places the French, still Catholics, had created before the law of nations a valid title to the whole of the valley of the Mississippi, if they had proved themselves physically capable of defending it against the combined power of England and her Colonies, aided by Catholic Spain. France proved unequal to the effort. Canada was ceded by the treaty of Paris, in 1763, to England,—including all the dependencies of Canada or of New France in North America.

Now, the rights of property and of religion were secured to all the inhabitants of the territory ceded in 1763 by France to England. The title to all the claims of France west of the Alleghenies, which passed to England by treaty, became vested in the United States at the close of the American war, and this country was bound in honor to respect the clause which had secured the rights of property and religion to the inhabitants. Again, Louisiana was acquired directly from France by purchase, subject to the same condition. Florida was bought from Spain, within my own recollection. Texas, at a period more recent still, and now, last of all, New Mexico, and the golden regions of California, have been acquired by treaty, and added to the national domain. In all these territories and states, the rights of property and religion have been guaranteed to the inhabitants; and now, at this late day, are the ancient, or even the new, Catholic inhabitants of such towns as Kaskaskia, Vincennes, St. Louis, on the Wabash and Mississippi,—Natchez, Mobile, St. Augustine, New Orleans in Louisiana, Santa Fe, in New Mexico, or San Francisco, Santa Barbara, and Monterey, in California,—in despite of treaties, (and the best treaty of all, the American Constitution) to be told that this is a Protestant country?—with the soothing assurance, however, that they need not be alarmed, that Protestantism is only another name for liberty of conscience and universal toleration, and that of its bounty, and under its benign and exuberant benevolence, they are and shall be permitted to enjoy themselves, to own and manage their property, and to practise their religion, just the same as if they were entitled to equality of rank as fellow-citizens! Why, if I know any thing of the American character, the enlightened portion of the Protestant mind of this country would feel as indignant as the Catholics themselves could feel, at the utterance of such pretensions. And yet they are all included in that one unjust and unbalanced assumption that this is a Protestant country, in which Catholics are permitted to live by the gratuity of Protestant toleration.

Let us now go back to the period which preceded the Revolution, whilst these States were as yet in the condition of British Colonies. I need hardly recall to your recollection that of the three primitive Colonies, one, that of Maryland, was Catholic. That of Virginia was first founded permanently in 1607, Massachusetts Colony in 1620, and that of Maryland in 1634. I will not speak of the other Colonies, because I do not regard them as primitive, but only as incidental off-shoots, springing up at a distance, and oftentimes growing out of a local necessity for a departure of some from the dwelling-place of their former friends. The Virginians, if I have not misunderstood their character and history, were high-minded, chivalrous,—disposed to cultivate, and realise their ideal of English gentlemen, even in the wilderness. They were aristocratic in their feelings, and they could hardly have been otherwise. They were the favored sons of England on these shores, as regarded both Church and State.

Very different, in many respects were the Pilgrim Fathers of Plymouth. Both Colonies were of the same national stock and origin; but the early inhabitants of both had been brought up under the influence of systems and associations quite antagonistic to each other. I am sorry to say that Catholics were not

favorites with either. They were regarded by both with feelings, if I can use such an expression, of intense dislike,—whilst neither the inhabitants of Virginia, nor those of Massachusetts, were, by any means, over tolerant to each other. The Puritans were earnest men. This is not the place or time to speak of their religious doctrines. But whether they were safe guides in Theology or not, that they were sincere, I have no doubt. Now next to truth, in all cases, sincerity has the first and strongest claim to the respect and almost veneration of the human mind. Not only were they earnest and sincere, but there was no double man among them. Whatever they seemed to be, that they were, neither more nor less. In the transcendentalism of some of their descendants, in our day, the whole of the law and the prophets has been reduced to the summary of a phrase, which implies that each one should "act out his own individual inward life;" and this is the precise life of which their pilgrim fathers had left them the practical example. Among them, no man presented a quality or plurality of outward phases, each purporting, according to the exigencies of interested expediency, to be the uniform type of his interior individual life.—They had suffered much from persecution on account of their religion, and they did not deem it extravagant to claim, in the wilderness at least, the privilege of being united, and undisturbed in their worship by the inroads of sectarians, and of doctrines at variance with their own. They had arrived amid the rigors of winter; they were welcomed only by ice, rocks, wild forests, and the probable hostility of Indian tribes. The reception was cold, indeed; but, in their minds, not more so than their expulsion from their native land, for such they considered it, had been cruel. The convictions of their conscience, on account of which all this had been brought upon them, and on account of which they had rejoicingly submitted to the hardships of their position, were such that their very sufferings served but to render their religion more and more dear to them. They cherished their religion above all things; and, with a view to transmit it unaltered to their posterity, they conceived that they did others no wrong by excluding all other creeds, and the votaries of them from their own remote, quiet, and united community. They had no objection that others should enjoy liberty of conscience, but it was not to be in their Colony. They judged that those others, if they wished liberty of conscience, might imitate their example, and find for themselves a Plymouth rock in some other bay. If any preacher of new doctrine rose among them, they did not deem it either unjust or oppressive to require that he should find or found a congregation for himself somewhere beyond their borders. Whoever would judge justly and impartially of their subsequent legislation in matters of religion, should, in my opinion, regard it from this a priori point of view.

Next to religion, they prized education. If their lot had been cast in some pleasant place of the valley of the Mississippi, they would have sown wheat, and educated their children; but as it was, they educated their children and planted whatever might grow and ripen on that scanty soil with which capricious nature had tricked off and disguised the granite beds beneath. Other Colonies would have brought up some of the people to the school; they, if I may be allowed so to express it, let down the school to all the people, not doubting but, by doing so, the people and the school would rise of themselves. The consequence has been that education has become, among their descendants, a domestic inheritance, transmitted carefully from one generation to another. It has become one of the characteristics of New England, and a nobler one she need not desire. Her sons have gone forth to every portion of this widely extended and free empire; and owing to their advantage of education they are generally sure to succeed, and often excel, in whatever business or profession of life they adopt. Owing to the same cause, the influence which they have exercised over the general mind of the country, has been felt and acknowledged on every side. And if this is due first to their common schools, and next to their colleges,—and if they are indebted for their common schools to their Pilgrim ancestors, it does them credit that, with filial reverence, they keep from year to year the annual celebration of their forefathers' day. But it never occurred to the common schools that a time should arrive, when, under the plea of shutting out sectarianism, Christianity itself should be excluded from popular education.

On the contrary, with their forefathers, the church and the school were regarded as mutually necessary to each other, and not to be separated. Time, I fear, will show that the system, the experiment of divorcing religion from education, in the common schools, will be attended with far less benefit both to pupils and to the country, than that the system which was sanctioned by the colonists of Massachusetts.

If partiality has sometimes portrayed the public character, whether of the primitive Virginians, or of the Plymouth pilgrims, in colors brighter, that is more glaring, than truth, prejudice has seldom failed to follow and supply the shading with a darker hue than truth can warrant.

And now of the other primitive colony, Catholic Maryland,—what shall I say? The portrait of the Maryland colony has also been taken by many artists, and the mutual resemblance of the copies is very remarkable. The picture is not over brilliant, but it is very fair. Its light is so little exaggerated, that prejudice itself has never ventured to profane the canvas with a single tint of additional shading.—I will present to you as drawn by the impartial pen of a Protestant historian, a native of New England by the by, of whose reputation she and the whole country may well be proud—I mean the Hon. George Bancroft: Of course, I shall invite your attention to those features which show that if civil, but especially religious, liberty be a dear and justly cherished privilege of the American people, the palm of having

been the first to preach and practice it is due, beyond all controversy, to the Catholic colony of Maryland. The history of the whole human race had furnished them with no previous example from which they could copy, although Catholic Poland had extended a measure of toleration to certain Protestants of Germany, which had been denied them by their own brethren in their country.

George Calvert, known as Lord Baltimore, was the projector of the Catholic colony of Maryland, although it was actually settled under the leadership of his brother, Leonard Calvert, "who," says Bancroft, "together with about two hundred people, most of them Roman Catholic gentlemen and their servants, sailed for the Potomac early in 1634." Their landing is described as having taken place on the 27th of March. On the spot on which they landed and in their first humble village of St. Mary's, the historian goes on to state that—"there religious liberty found a home, its only home in the wide world." Representative government was indissolubly connected with the fundamental charter, and it was especially provided, that the authority of the absolute proprietor should not extend to the life, freehold, or estate of any emigrant. The character of Lord Baltimore is described by the historian in the following terms: "Calvert deserves to be ranked among the most wise and benevolent lawgivers of all ages. He was the first in the history of the Christian World to seek for religious security and peace by the practice of justice, and not by the exercise of power; to plan the establishment of popular institutions with the enjoyment of liberty of conscience; to advance the career of civilization by recognising the rightful equality of all Christian sects. The asylum of Papists was the spot, where, in a remote corner of the world, on the banks of rivers which, as yet, had hardly been explored, the mild forbearance of a proprietary adopted religious freedom as the basis of the state."

He goes on further to remark, that at that period "every other country in the world had persecuting laws; I will not,"—such was the oath for the Governor of Maryland,—"I will not, by myself or any other, directly or indirectly, molest any person professing to believe in Jesus Christ, for or in respect of religion?" Under the mild institutions and munificence of Baltimore, the dreary wilderness soon bloomed with the swarming life and activity of prosperous settlements; the Roman Catholics, who were oppressed by the laws of England, were sure to find a peaceful asylum in the quiet harbor of the Chesapeake; and there, too, Protestants were sheltered against Protestant intolerance.

The Colonial Assembly incorporated the same principles in their acts and legislation.

"And whereas the enforcing of the conscience in matters of religion,—such was the sublime tenor of the statute,—"hath frequently fallen out to be of dangerous consequence in those commonwealths where it has been practised, and for the more quiet and peaceful government of this province, and the better to preserve mutual love and amity among the inhabitants, no person within this province, professing to believe in Jesus Christ, shall be in any ways troubled, molested, or discountenanced for his or her religion, in the free exercise thereof." He adds:—

"Maryland, at that day, was unsurpassed for happiness and liberty. Conscience was without restraint; a mild and liberal proprietary conceded every measure which the welfare of the colony required; domestic union, a happy concert between all the branches of government, an increasing emigration, a productive commerce, a fertile soil, which Heaven had richly favored with rivers and deep bays, united to perfect the scene and colonial felicity and contentment. Ever intent on advancing the interests of his colony, Lord Baltimore invited the Puritans of Massachusetts to emigrate to Maryland, offering them lands and privileges, and free liberty of religion; but Gibbons, to whom he had forwarded a commission, was 'so wholly tutored in the New England discipline,' that he would not advance the wishes of the Irish peer; and the people, who subsequently refused Jamaica and Ireland, were not now tempted to desert the bay of Massachusetts for the Chesapeake." He continues:—

"But the design of the law of Maryland was undoubtedly to protect freedom of conscience; and some years after it had been confirmed, the apologist of Lord Baltimore could assert, that his government, in conformity with his strict and repeated injunctions, had never given disturbance to any person in Maryland for matter of religion; that the colonists enjoyed freedom of conscience, not less than freedom of person and estate, as amply as ever any people in any place of the world. The disfranchised friends of prelacy from Massachusetts, and the Puritans from Virginia, were welcomed to equal liberty of conscience and political rights in the Roman Catholic province of Maryland."

By all this it would seem that the provision of the Federal Constitution, securing universal freedom of religion, corresponds, or might be regarded as having been almost literally copied from the provision of the charter and statutes of the Catholic Colony of Maryland, proclaimed and acted upon by them one hundred and forty years before the war of independence. Hence, I submit that the Catholics of the United States, not only by what has occurred since, but by their presence and their principles, and their practice, from the earliest colonial times, are entitled in their own right to a full participation of all the privileges, whether civil or religious, which have been acquired by this country in the progress of her history. I have seen it stated in writing, that it may even occur to some one in this assembly, that the Catholics had no merit in this, inasmuch as they were too weak and too much afraid to have acted otherwise. Such an observation is more damaging to the character of the other two Protestant Colonies than that of Maryland. For if Protestantism be that liberal, generous, and tolerant system which we hear so much of, why should the Catholics of Maryland have been afraid of their neighbors? The objection is severe, almost sarcastic, in relation to Protestantism. But if it be said that the Colony of Maryland was weak, as compared with either of the others;—I will let that pass, with the observation, that if no higher motive can be ascribed for their proclaiming freedom of conscience, then I, for one, do not regret their weakness; for, perhaps, if they had been strong, they might have been tempted to emulate and imitate the example of their colonial neighbors.

It has been remarked by a modern writer, that for the last three hundred years, what is commonly called history would seem to be a conspiracy against truth.

The ground of his remark which is highly exaggerated, is, that amidst so many religions, each historian is liable to be biased by the prejudices of youth, the influence of associations, and partialities in favor of his own sect and creed. If there be any truth in the remark, and I think there is some, it cannot be a bad rule, when a historian writes fiercely against the professors of an opposite creed, or in favor of those who belong to his own, to receive his statements, not as gospel, but for what they are worth. But when a historian writes favorably of those professing an opposite religion to his own, then his statements are the testimony which is exhorted by, or voluntarily offered to the majesty of truth. As to prejudice or partiality, Mr. Bancroft is admitted by all to be above suspicion: still he is a Protestant, and on this account I preferred that you should hear his testimony in regard to the Catholic Colony of Maryland, expressed in language far more classical and elegant than any I could employ.

Far be it from me to diminish, by one iota, the merit that is claimed for Rhode Island, Pennsylvania, and, perhaps, other States, on the score of having proclaimed religious freedom; but the Catholics of Maryland, by priority of time, have borne away the prize, and it is but justice to say,

—*serat, qui meruit, palmam.*"

But it was not in Maryland alone that the Catholics, in the early history of the Colonies, gave proof of their devotedness to the principle of civil and religious liberty. The State archives of New York furnish testimonies in this respect, not less honorable than those of Maryland.

In 1609 the North River kissed, for the first time, the prow of a European vessel; and the gallant bark acknowledged, as the way of ships is, the affectionate welcome, in the deep furrows which she ploughed up, for the first time also, on the tranquil surface of the beautiful river. But these soon disappeared. For it is the property of water, whether by river, or lake, or sea, or ocean,—as if intended to be a natural symbol of true charity and true friendship among men,—to render the appropriate service to those who require it, and then generously blot out every record and memory of the favor conferred. The captain of that ship, the name of which I forget, was an Englishman, in the service of the Dutch government. His own name, I need hardly tell you, was Henry Hudson.

From this beginning resulted, at a later period of our history, Fort Manhattan, next New Amsterdam and the Province of New Netherlands; now, however, the City and State of New York. The Colony of New Amsterdam and New Netherlands had been in existence, under the sway of a Protestant government, from that time till 1663; and as yet, strange as it may sound in the ears of my auditory, not a single ray of liberty, as we understand it, had dawned on the inhabitants of New Netherlands. This is queer, if as is sometimes assumed, all liberty must necessarily come from Protestantism. If so, why had the Protestant government of Holland left its Protestant subjects here so long destitute of what we now call their civil and religious rights?

The English took possession of the province in 1664,—and the territory extending from the banks of the Connecticut to those of the Delaware, was granted by Charles the Second to his brother James, Duke of York and Albany. In 1673, the authority of Holland was once more temporarily established; but at the close of the war in the following year, the province was finally restored to England. The Duke of York took out a new patent. He was a Catholic, and although the school books say he was a tyrant, still it is a fact of history, that to him the inhabitants of New Netherlands, whether Dutch or English were indebted for their first possession and exercise of civil and religious liberty.

"The Duke of York," says the historian whom I have already so often quoted, "was at the same time solicited by those about him to sell the territory. He demanded the advice of one who always advised honestly; and no sooner had the father of Pennsylvania, after a visit at New York, transmitted an account of the reforms which the province required, than, without delay, Thomas Dongan, a Papist, came over as governor, with instructions to convolve a free legislature."

"At last," Bancroft goes on to say, "after long effort, on the seventeenth day of October, 1683, about seventy years after Manhattan was first occupied, about thirty years after the demand of the popular convention by the Dutch, the representatives of the people met in assembly, and their self-established 'CHARTER OF LIBERTIES' gave New York a place by the side of Virginia and Massachusetts."

"Supreme legislative power"—such was its declaration—"shall for ever be and reside in the governor, council and people, met in general assembly. Every freholder and freeman shall vote for representation without restraint. No freeman shall suffer but by judgment of his peers; and all trials shall be by a jury of twelve men. No tax shall be assessed, on any pretence whatever, but by the consent of the assembly. No seaman or soldier shall be quartered on the inhabitants against their will. No martial law shall exist. No person, professing faith in God by Jesus Christ, shall at any time be in any ways disquieted or questioned for any difference of opinion."

I know not how it has happened that, in treating this subject, I had hardly launched my slender skiff when I found it heading up stream, instead of gliding gently down the current of historical events. But now I hardly regret its caprice. I commenced with the floating of our flag from the battlements of Mexico,—that is, I began at the end, and, no doubt, it will be regarded as altogether in keeping, that I should end at the beginning. But the events are the same, no matter under which order of chronology they are considered. That little skiff, if I may be allowed to extend the figure for a moment, has stemmed the flow of a certain prejudice which calls itself history, has overcome successfully even the rapids of the adverse tide,—and now having reached, or approximated, the tranquil waters of earlier times, I can guide its onward course, with gentle and recreative labor, to the very well-springs of American history.

Having glanced at the period subsequent to the adoption of our Federal Constitution—at the circumstances of its formation—at those of the American war of independence, which had preceded—at those of the earlier Colonies, especially of the three primitive ones, Virginia, Massachusetts and Maryland—I now approach a period anterior to the Colonies themselves, namely, the period of discoveries. In this period all, or nearly all, is Catholic. From the first discovery of the country in 1492, until the date of the settlement of the first permanent Colony at Jamestown, Virginia,